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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Daniel A. Gerrity et al.

Application No. : 09/704,178

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For : METHOD AND APPARATUS FOR CONDITIONING COINS

PRIOR TO DISCRIMINATION

Examiner : Mark J. Beauchaine

Art Unit: 3653

Docket No. : 21382-8004US03

Date : February 5, 2002

Commissioner for Patents
Washington, DC 20231

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER PRIOR PATENTS

Sir

The owner, Coinstar, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 as shortened by any terminal disclaimer, of prior U.S. Patent Nos. 5,842,916 and 6,174,230. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and assigns.

In making the above disclaimer, the owner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior

patents, as presently shortened by any terminal disclaimer, in the event that they later:

(a) expire for failure to pay a maintenance fee, (b) are held unenforceable, (c) are found invalid by a court of competent jurisdiction, (d) are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, (e) have all claims cancelled by a reexamination certificate, (f) are reissued, or (g) are in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

The undersigned represents that he is an attorney of record in the instant application. The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

Stephen E. Arnett Registration No. 47,392

PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 583-8888

FAX: (206) 583-8500

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